

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

CHARLES SMALL,

Plaintiff,

v.

MATTHEW MARTEL, et al.,

Defendants.

09CV0913-JM (POR)

**JOINT MOTION FOR ORDER OF
DISMISSAL OF ALL CLAIMS AGAINST
DEFENDANTS WITH PREJUDICE**

[Fed. R. Civ. P. 41(a)(2); Civ. L.R. 7.2]

Judge: The Honorable Louisa S. Porter

Plaintiff Charles Small, by and through his counsel of record Dwight Ritter, and Defendants G. Hall-Murray and M. Martel, by and through their counsel of record Deputy Attorney General John P. Walters, set forth the following:

WHEREAS, the parties have come to an agreement regarding the resolution of this case.

WHEREAS, under Federal Rule of Civil Procedure 41(a)(2) and Civil Local Rule 7.2, a Court order is required to dismiss the action against Defendants.

WHEREAS, Plaintiff has agreed to dismiss Defendants with prejudice from the action.

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1 **THEREFORE**, the parties jointly move the Court to dismiss Defendants and all claims
2 against Defendants from the action with prejudice. Each party is to bear his or her own costs,
3 fees, and expenses of any type, including attorney's fees. There is no prevailing party in this
4 action.

5 **IT IS SO STIPULATED.**

6
7 Dated: September
 August 7, 2011

Karl
DWIGHT RITTER; Karen Albence
Attorney for Plaintiff
Charles Small

10
11 OCTOBER
12 Dated: August 3, 2011

John P. Walters
JOHN P. WALTERS
Attorneys for Defendants
G. Hall-Murray and M. Martel

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Charles Small v. Matthew Martel, et al.**

No.: **09CV0913-JM (POR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On November 22, 2011, I served the attached **JOINT MOTION FOR ORDER OF DISMISSAL OF ALL CLAIMS AGAINST DEFENDANTS WITH PREJUDICE** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266, addressed as follows:

Dwight F. Ritter, Esq.
Ritter & Associates
2550 Fifth Avenue, 9th Floor
San Diego, CA 92103

Attorney for Charles Thomas Small
Plaintiff

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 22, 2011, at San Diego, California.

S. Banks
Declarant


Signature